

THE MUNICIPAL BOARD OF MANITOBA

1144-363 Broadway • Winnipeg, Manitoba • R3C 3N9

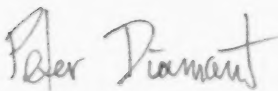
February 28, 2013

Honourable Ron Lemieux
Minister of Local Government
Room 301 - Legislative Building
Winnipeg MB R3C 0V8

Dear Minister:

In accordance with Section 106 of *The Municipal Board Act*, I am pleased to submit the Annual Report of The Municipal Board for the year ending December 31, 2012.

Yours Respectfully,



Peter G. Diamant
Chair

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REMARKS FROM THE CHAIR

The Municipal Board is established under *The Municipal Board Act* and, under Section 106(1), is required to report annually to the Minister of Local Government on the activities of the Board for the previous year.

The full complement of the Board, as of December 31, 2012, is 33 Members, which includes the Chair, Vice Chair and four Acting Chairs. The Board continues its commitment to education and training for Board Members. In each of the past eight years, the Manitoba Council of Administrative Tribunals (MCAT) has held an annual conference and the conference is well attended by Board Members. MCAT also annually holds a training session for new Board Members and all new Municipal Board Members are required to attend.

A summary of the applications made to the Board over the past year is set out on page 8 of this Report. As of January 1, 2012, there were 955 outstanding applications, appeals and referrals, of which 774 were Winnipeg Assessment Appeals. During the year, 728 new matters were received and 448 matters were dealt with leaving 1235 outstanding applications, appeals and referrals as of December 31, 2012.

The Board has duties and responsibilities assigned to it under a number of Acts of the Legislature. The majority of the Board's activities, however, are directed towards Assessment Appeals under *The Municipal Assessment Act*. Of the 1,683 applications, appeals and referrals before the Board during 2012, 1,542, or 92%, were appeals respecting the assessment and classification of property. Of those appeals, 1,318 were for properties in The City of Winnipeg.

Over the past three years, the Board has been monitoring the number of assessment appeals to ensure that the demands of a shortened assessment cycle are being met. The Board has noticed a decrease in the number of assessment appeal hearings and an increase in the number of outstanding appeals. While frequently appeals are being settled without a hearing, the Board is concerned with the City Assessor's apparent inability to meet the schedule for dealing with the outstanding appeals in a timely manner as proposed by the Board.

The number of hearings and referrals relating to *The Planning Act* and *The Municipal Act* has remained constant over the past year. Over the past year, the Board also has noticed a decrease in the number of borrowing by-laws. The Board did not hold any inquiries of its own motion in 2012, nor did it issue any licenses, permits or certificates. The fees collected by the Board are summarized on page 29.

In conclusion, I wish to express my thanks and appreciation to the Members of the Board for their co-operation and support. The Members have responded to the complex issues with dedication and commitment to the process. I also would like to thank the Vice Chair Tanys Björnson for her ongoing support and important contributions to the Board.

As Chair, I must acknowledge the significant role of the Administration and Staff in ensuring that the Board functions smoothly and efficiently. The Staff's hard work plays an important part in the Board meeting the challenges it faces. I would like to welcome a new staff member, Joycelyn Mendoza, and to thank the staff, Helen Kilborne, Adrienne Newbury, Elaine Pociuk and Brenda Loewen for their continued dedication to the Board. During my 13 years as Chair, Rose Gibbons has been the Secretary to the Board. Rose's administrative skills and positive approach are a major reason for the success of the operations of the Board. I thank Rose and the Staff for their contribution to The Municipal Board in carrying out its mandate.

Peter G. Diamant
Chair

REMARQUES DU PRÉSIDENT

La Commission municipale est établie en vertu de la *Loi sur la Commission municipale* et, conformément au paragraphe 106(1) de cette loi, elle doit faire rapport tous les ans au ministre des Administrations locales sur ses activités de l'année écoulée.

Au 31 décembre 2012, la Commission municipale comptait 33 membres, notamment le président, la vice-présidente et quatre présidents suppléants. La Commission poursuit son investissement dans l'éducation et la formation de ses membres. Au cours de chacune des huit dernières années, le Manitoba Council of Administrative Tribunals a organisé une conférence annuelle à laquelle les membres de la Commission ont participé en bon nombre. Le Manitoba Council of Administrative Tribunals offre également chaque année une séance de formation à laquelle tous les nouveaux membres de la Commission municipale sont obligés de participer.

On trouvera, à la page 8 du présent rapport, un résumé des demandes présentées à la Commission au cours de l'année passée. Au 1^{er} janvier 2012, 955 demandes, appels et renvois étaient en instance devant la Commission, dont 774 appels interjetés contre l'évaluation fixée par la Ville de Winnipeg. Durant l'année, la Commission a été saisie de 728 nouvelles affaires et a traité 448 demandes, ce qui a laissé en tout, au 31 décembre 2012, 1 235 demandes, appels et renvois en instance.

Des fonctions et des responsabilités sont conférées à la Commission par un certain nombre de lois adoptées par l'Assemblée législative. La majorité des activités de la Commission sont toutefois axées sur les appels liés à l'évaluation de biens, déposés en vertu de la *Loi sur l'évaluation municipale*. Des 1 683 demandes, appels et renvois devant la Commission durant 2012, 1 542, soit 92 %, étaient des appels liés à l'évaluation et à la classification de biens. De ces appels, 1 318 visaient des biens dans la Ville de Winnipeg.

Au cours des trois dernières années, la Commission a surveillé le nombre d'appels en matière d'évaluation afin de veiller à ce que l'on réponde aux exigences découlant du raccourcissement du cycle d'évaluation. La Commission a constaté une diminution du nombre d'audiences pour des appels en matière d'évaluation, ainsi qu'une augmentation du nombre d'appels en instance. Les appels se règlent fréquemment sans que les parties aient recours à une audience. Toutefois, la Commission remarque avec une certaine inquiétude que l'évaluateur de la Ville semble ne pas être en mesure de respecter l'échéancier proposé par la Commission pour traiter les appels en instance dans les délais prévus.

Le nombre d'audiences et de renvois liés à la *Loi sur l'aménagement du territoire* et à la *Loi sur les municipalités* est demeuré constant l'année passée. Au cours de l'année dernière, la Commission a également constaté une diminution du nombre de règlements d'emprunt. En 2012, la Commission n'a pas mené d'enquêtes de son propre chef et n'a pas non plus délivré de licences, de permis ou de certificats. On trouvera à la page 29 du présent rapport le sommaire des droits perçus par la Commission.

En terminant, j'aimerais exprimer ma gratitude aux membres de la Commission pour leur collaboration et leur appui. Ils ont répondu aux questions complexes avec dévouement et persévérance. Je voudrais également remercier la vice-présidente, Tanys Björnson, pour l'appui constant et les contributions importantes qu'elle a apportés à la Commission.

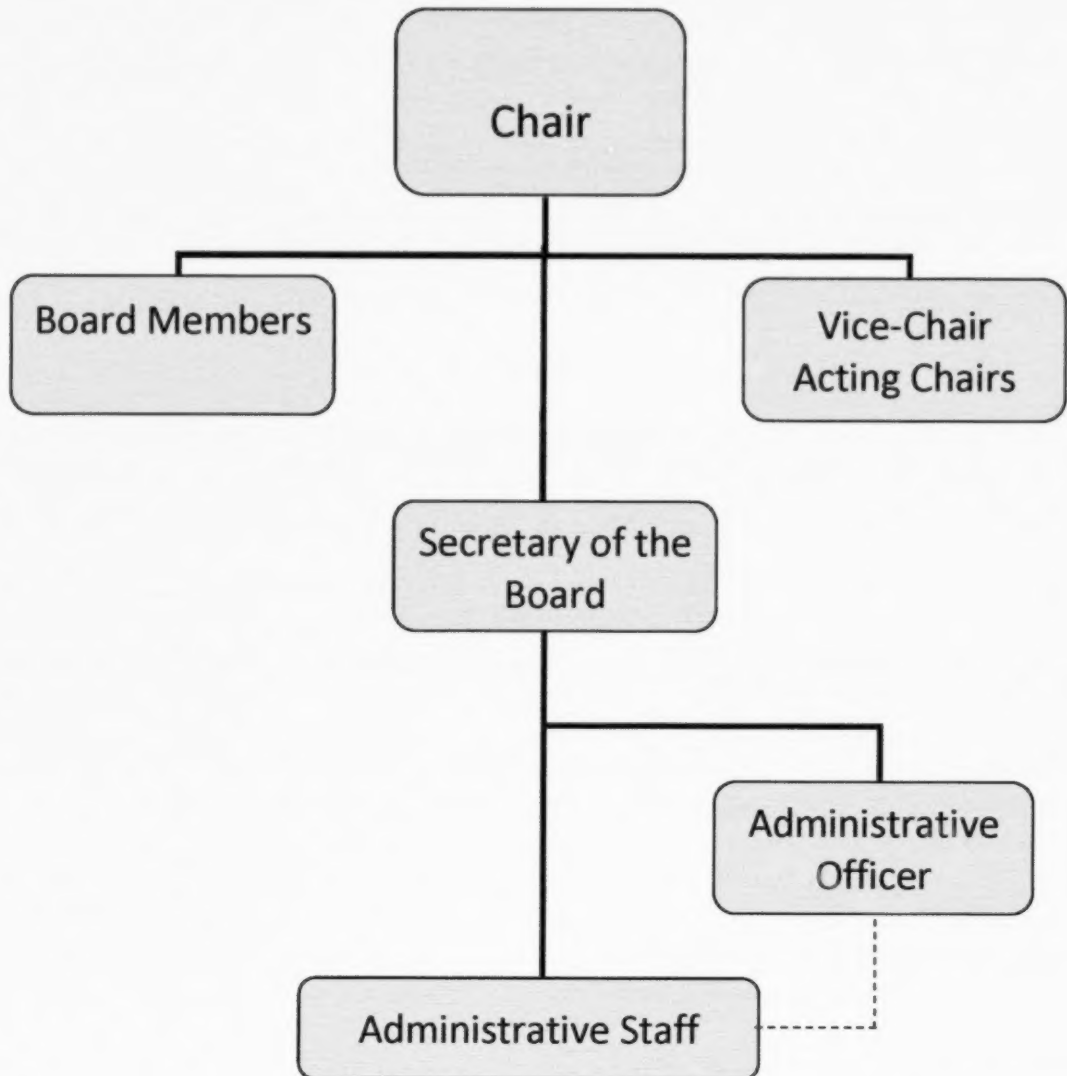
En tant que président, je me dois de saluer le rôle notable joué par la direction et le personnel afin d'assurer le fonctionnement harmonieux et efficace de la Commission. C'est en grande partie grâce à leurs efforts soutenus que la Commission peut relever les défis qui se présentent à elle. Je voudrais souhaiter la bienvenue à un nouveau membre du personnel, Joycelyn Mendoza, et remercier Helen Kilborne, Adrienne Newbury, Elaine Pociuk and Brenda Loewen pour leur dévouement continu à l'égard de la Commission. Durant mes 13 années à la tête de la Commission, Rose Gibbons a été la secrétaire de la Commission. Ses compétences administratives et son approche positive contribuent grandement au bon fonctionnement de la Commission. Je remercie Rose et le personnel de leur contribution qui permet à la Commission de remplir son mandat.

Le président,

Peter G. Diamant

THE MUNICIPAL BOARD - ORGANIZATION CHART

2012



THE MUNICIPAL BOARD OF MANITOBA

ROLE

Section 15(2) of The Municipal Board Act states:

"The board shall sit at such times and places within the province as the chairman may designate; and it shall conduct its proceedings in such manner as may seem to it most convenient for the speedy and effectual dispatch of business".

MISSION STATEMENT

To deal with matters that come before the Board in a fair, impartial and timely manner.

GOALS

- To process appeals, applications and referrals as expeditiously as possible.
- To conduct hearings in accordance with legislative procedures and natural justice for all parties involved.
- To render readable, reliable and quality decisions in a timely manner.
- To communicate with the general public on the role of the Board and the appeal process.
- To review and update Board policies and procedures to ensure service is provided in a timely manner and in accordance with the applicable legislation.
- To review and update administrative procedures.

THE MUNICIPAL BOARD OF MANITOBA

Peter G. Diamant, Chair

MEMBERS (2012)

Bill Barlow, Gimli
John Blewett, Winnipeg
Grant Buchanan, The Pas
Gordon Daman, Niverville
Douglas Dobchuk, Winnipeg
Marie Elliot, Winnipeg
Thomas Frohlinger, Winnipeg
Neil Harden, Winnipeg
Ed Hart, Minitonas
William Hinthier, Winnipeg
Douglas Houghton, Beausejour
Cyril Keeper, Winnipeg
Leonard Kimacovich, Winnipeg
Nora Losey, Winnipeg
Budd Mager, Lac du Bonnet

Ross Martin, Winnipeg
Herm Martens, Rosenort
Michael Mercury, Winnipeg
Monique Mulaire, Winnipeg
Jim Neil, Winnipeg
Jack Nicol, Winnipeg
Charlotte Onski, Winnipeg
Arthur Proulx, Winnipeg
Garth Rice, Brandon
Marion Robinsong, Brandon
John Rudyk, Fisher Branch
Meir Serfaty, Winnipeg
Michelle Smith, Winnipeg
Maurice Tallaire, St. Adolphe
Sudesh K. Treon, Winnipeg
Marilyn Walder, Winnipeg

Tanys Björnson, Vice Chair

Rose Gibbons, Secretary of the Board

Employees

Administrative Officer
Administrative Secretary
Administrative Secretary
Administrative Secretary
Administrative Secretary

Brenda Loewen
Joycelyn Mendoza
Adrienne Newbury
Elaine Pociuk
Helen Kilborne (Term)

Summary of Applications, Appeals, and Referrals (2011 & 2012)

Consolidated Summary of Activity

A summary of all Applications, Appeals, and Referrals set forth on pages 10 to 24.

| APPLICATIONS, APPEALS AND REFERRALS RECEIVED | 2011 | 2012 |
|---|-------------|-------------|
| Applications, Appeals and Referrals Outstanding as at January 1 st | 719 | 955 |
| New Applications, Appeals and Referrals Received | 665 | 728 |
| Total | 1384 | 1683 |

| APPLICATIONS, APPEALS AND REFERRALS DISPOSED | 2011 | 2012 |
|---|-------------|-------------|
| Applications Approved and Appeals Allowed/Granted | 325 | 331 |
| Applications Rejected and Appeals Dismissed/Rejected | 22 | 31 |
| Applications Referred Back to Council for Further Consideration | 0 | 0 |
| Reports and Recommendations Submitted | 4 | 3 |
| Orders Revised | 2 | 0 |
| Applications, Appeals and Referrals Withdrawn and/or Closed by Minute | 76 | 83 |
| Total | 429 | 448 |

| | | |
|---|------------|-------------|
| APPLICATIONS, APPEALS AND REFERRALS OUTSTANDING AS AT DECEMBER 31ST | 955 | 1235 |
|---|------------|-------------|

Miscellaneous Acts

The Municipal Board has responsibilities under other Statutes, but under which it has had no applications or active files in 2012.

The Acts are as follows:

- City of Winnipeg Charter, S.M. 2002, c.39
- The Conservation Districts Act, R.S.M. 1987, c. C175
- The Expropriation Act, R.S.M. 1987, c.E190
- The Health Services Insurance Act, R.S.M. c.H35
- The Heritage Resources Act, S.M. 1985-86, c.10 - Cap. H39.1
- The Highway Traffic Act, S.M. 1985-86, c.3 - Cap. H60
- The Public Libraries Act R.S.M. 1987, c.P250
- The Regional Waste Management Authorities Act, S.M. 1993, c.11 – Cap. R38
- The Water Resources Administration Act, R.S.M. 1987, c.W70

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Municipal Act, S.M. 1996, c.58 - Cap. M225

Applications to amalgamate two or more municipalities or for the annexation by a municipality of land from another municipality: Section 34

| APPLICATIONS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Outstanding as at January 1 st | 2 | 1 |
| Applications Received | 1 | 3 |
| Total | 3 | 4 |

| APPLICATIONS DISPOSED | 2011 | 2012 |
|--|-------------|-------------|
| Reports and Recommendations Submitted to the Minister of Local Government | 1 | 0 |
| Applications Withdrawn and/or Closed by Minute | 1 | 0 |
| Total | 2 | 0 |

| | | |
|--|----------|----------|
| APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST | 1 | 4 |
|--|----------|----------|

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Municipal Act, S.M. 1996, c.58 - Cap. M225

Applications for approval of borrowing: Section 172 et seq.

- Includes Leasing and Financial Agreements

| APPLICATIONS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Outstanding as at January 1 st | 0 | 0 |
| Applications Received | 34 | 23 |
| Total | 34 | 23 |

| APPLICATIONS DISPOSED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Approved | 33 | 23 |
| Applications Rejected | 0 | 0 |
| Applications Withdrawn and/or Closed by Minute | 1 | 0 |
| Total | 34 | 23 |

| | | |
|--|----------|----------|
| APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST | 0 | 0 |
|--|----------|----------|

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Municipal Act, S.M. 1996, c.58 - Cap. M225

*Applications for approval of By-laws respecting local improvements:
Sections 311 & 320*

| APPLICATIONS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Outstanding as at January 1 st | 0 | 0 |
| Applications Received | 36 | 34 |
| Total | 36 | 34 |

| APPLICATIONS DISPOSED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Approved | 36 | 33 |
| Applications Rejected | 0 | 0 |
| Applications Withdrawn and/or Closed by Minute | 0 | 1 |
| Total | 36 | 34 |

| | | |
|--|----------|----------|
| APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST | 0 | 0 |
|--|----------|----------|

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Municipal Act, S.M. 1996, c.58 - Cap. M225

Applications for approval of By-laws respecting Special Services: Sections 312 & 320

| APPLICATIONS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Outstanding as at January 1 st | 0 | 0 |
| Applications Received | 18 | 22 |
| Total | 18 | 22 |

| APPLICATIONS DISPOSED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Approved | 18 | 21 |
| Applications Rejected | 0 | 0 |
| Applications Withdrawn and/or Closed by Minute | 0 | 0 |
| Total | 18 | 21 |

| | | |
|--|----------|----------|
| APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST | 0 | 1 |
|--|----------|----------|

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Municipal Act, S.M. 1996, c.58 - Cap. M225

Application to review a By-law that divides a Municipality into Wards and establishes ward boundaries or a By-law that eliminates wards or changes the number of wards or ward boundaries. Section 89(1)

| APPLICATIONS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Outstanding as at January 1 st | 1 | 1 |
| Applications Received | 0 | 0 |
| Total | 1 | 1 |

| APPLICATIONS DISPOSED | 2011 | 2012 |
|---|-------------|-------------|
| Applications Allowed | 0 | 0 |
| Applications Dismissed | 0 | 0 |
| Applications Referred back to Council for further consideration | 0 | 0 |
| Applications Withdrawn and/or Closed by Minute | 0 | 0 |
| Total | 0 | 0 |

| | | |
|--|----------|----------|
| APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST | 1 | 1 |
|--|----------|----------|

Summary of Applications, Appeals, and Referrals (2012)

The Municipal Act, S.M. 1996, c.58 - Cap. M225

Application to review a By-law which amends the Urban and Rural Ward Service Area Boundaries.

| APPLICATIONS OUTSTANDING AND RECEIVED | | 2012 |
|--|--------------|-------------|
| Applications Outstanding as at January 1 st | | 0 |
| Applications Received | | 1 |
| | Total | <u>1</u> |

| APPLICATIONS DISPOSED | | 2012 |
|--|--------------|-------------|
| Applications Allowed | | 0 |
| Applications Dismissed | | 0 |
| Applications Withdrawn and/or Closed by Minute | | 0 |
| | Total | <u>0</u> |

| | |
|--|-----------------|
| APPLICATIONS OUTSTANDING AS AT DECEMBER 31st | <u>1</u> |
|--|-----------------|

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Municipal Assessment Act, S.M. 1989-90, c.24 - Cap. M226

Appeals respecting the assessment and classification of property in The City of Winnipeg: Section 56(2)

| APPEALS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|---|-------------|-------------|
| Appeals Outstanding as at January 1 st | 619 | 774 |
| *Appeals Received | 399 | 544 |
| Total | 1018 | 1318 |

| APPEALS DISPOSED | 2011 | 2012 |
|---|-------------|-------------|
| **Appeals Allowed | 184 | 156 |
| Appeals Dismissed | 15 | 14 |
| Appeals Withdrawn and/or Closed by Minute | 45 | 39 |
| Total | 244 | 209 |

| | | |
|---|------------|-------------|
| APPEALS OUTSTANDING AS AT DECEMBER 31st | 774 | 1109 |
|---|------------|-------------|

* Includes appeals by the Assessment and Taxation Department as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Municipal Assessment Act, S.M. 1989-90, c.24 - Cap. M226

*Appeals respecting the assessment and classification of property outside
The City of Winnipeg: Section 56(2)*

| APPEALS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|---|-------------|-------------|
| Appeals Outstanding as at January 1 st | 86 | 161 |
| *Appeals Received | 143 | 63 |
| Total | 229 | 224 |

| APPEALS DISPOSED | 2011 | 2012 |
|---|-------------|-------------|
| **Appeals Allowed | 42 | 87 |
| Appeals Dismissed | 5 | 9 |
| Appeals Withdrawn and/or Closed by Minute | 21 | 25 |
| Total | 68 | 121 |

| | | |
|---|------------|------------|
| APPEALS OUTSTANDING AS AT DECEMBER 31st | 161 | 103 |
|---|------------|------------|

* Includes appeals by the Provincial Municipal Assessor as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Municipal Board Act, R.S.M. 1987, c.M240

Applications to review, rescind, change, alter or vary a decision or order made by the Board: Section 46(3)

| APPLICATIONS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Outstanding as at January 1 st | 1 | 0 |
| Applications Received | 3 | 3 |
| Total | 4 | 3 |

| APPLICATIONS DISPOSED | 2011 | 2012 |
|--|-------------|-------------|
| Order Revised | 2 | 0 |
| Applications Rejected | 2 | 1 |
| Applications Withdrawn and/or Closed by Minute | 0 | 1 |
| Total | 4 | 2 |

| | | |
|--|----------|----------|
| APPLICATIONS OUTSTANDING AS AT DECEMBER 31st | 0 | 1 |
|--|----------|----------|

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Municipal Board Act, R.S.M. 1987, c.M240

*Applications to vary, cancel, or substitute a Building Restriction Caveat:
Section 104(1) et seq.*

| APPLICATIONS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Outstanding as at January 1 st | 1 | 1 |
| Applications Received | 4 | 5 |
| Total | 5 | 6 |

| APPLICATIONS DISPOSED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Granted | 4 | 2 |
| Applications Rejected | 0 | 0 |
| Applications Withdrawn and/or Closed by Minute | 0 | 1 |
| Total | 4 | 3 |

| | | |
|--|----------|----------|
| APPLICATIONS OUTSTANDING AS AT DECEMBER 31st | 1 | 3 |
|--|----------|----------|

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Planning Act, S.M. 2005, c.30 - Cap. P80

Objections to a By-law to adopt and/or amend a Development Plan or Basic Planning Statement filed with the Minister and referred to the Board: Section 30(4) et seq.

| REFERRALS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|---|-------------|-------------|
| Referrals Outstanding as at January 1 st | 2 | 1 |
| Referrals Received | 2 | 3 |
| Total | 4 | 4 |

| REFERRALS DISPOSED | 2011 | 2012 |
|---|-------------|-------------|
| Reports and Recommendations Submitted to the Minister of Local Government | 3 | 3 |
| Referrals Withdrawn and/or Closed by Minute | 0 | 1 |
| Total | 3 | 4 |

| | | |
|---|----------|----------|
| REFERRALS OUTSTANDING AS AT DECEMBER 31ST | 1 | 0 |
|---|----------|----------|

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Planning Act, S.M. 2005, c.30 - Cap. P80

Applications for approval of Zoning By-laws: Section 43(1) et seq.

| APPLICATIONS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Outstanding as at January 1 st | 2 | 1 |
| Applications Received | 5 | 5 |
| Total | 7 | 6 |

| APPLICATIONS DISPOSED | 2011 | 2012 |
|--|-------------|-------------|
| Applications Approved | 5 | 3 |
| Applications Rejected | 0 | 0 |
| Applications Withdrawn and/or Closed by Minute | 1 | 1 |
| Total | 6 | 4 |

| | | |
|--|----------|----------|
| APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST | 1 | 2 |
|--|----------|----------|

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Planning Act, S.M. 2005, c.30 - Cap. P80

*Appeals from decisions of the Approving Authority (subdivision of land):
Section 129(1) et seq.*

| APPEALS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|---|-------------|-------------|
| Appeals Outstanding as at January 1 st | 2 | 12 |
| Appeals Received | 17 | 17 |
| Total | 19 | 29 |

| APPEALS DISPOSED | 2011 | 2012 |
|---|-------------|-------------|
| Appeals Allowed | 2 | 5 |
| Appeals Dismissed | 0 | 4 |
| Appeals Withdrawn and/or Closed by Minute | 5 | 13 |
| Total | 7 | 22 |

| | | |
|---|-----------|----------|
| APPEALS OUTSTANDING AS AT DECEMBER 31ST | 12 | 7 |
|---|-----------|----------|

Summary of Applications, Appeals, and Referrals (2011 & 2012)

The Water Rights Act, R.S.M. 1988, c.W80

Appeals against an order or decision of the Minister under this Act: Section 24

| APPEALS OUTSTANDING AND RECEIVED | 2011 | 2012 |
|---|-------------|-------------|
| Appeals Outstanding as at January 1 st | 3 | 3 |
| Appeals Received | 2 | 4 |
| Total | 5 | 7 |

| APPEALS DISPOSED | 2011 | 2012 |
|---|-------------|-------------|
| Appeals Allowed | 0 | 0 |
| Appeals Dismissed | 0 | 3 |
| Appeals Withdrawn and/or Closed by Minute | 2 | 1 |
| Total | 2 | 4 |

| | | |
|---|----------|----------|
| APPEALS OUTSTANDING AS AT DECEMBER 31ST | 3 | 3 |
|---|----------|----------|

Summary of Applications, Appeals, and Referrals (2012)

The Special Survey Act, R.S.M. 1987, c.S190

Complaints against Plan of Special Survey: Section 6

| APPLICATIONS OUTSTANDING AND RECEIVED | | 2012 |
|--|--------------|-------------|
| Applications Outstanding as at January 1 st | | 0 |
| Applications Received | | 1 |
| | Total | 1 |

| APPLICATIONS DISPOSED | | 2012 |
|--|--------------|-------------|
| Applications Approved | | 1 |
| Applications Dismissed | | 0 |
| Applications Withdrawn and/or Closed by Minute | | 0 |
| | Total | 1 |

| | |
|---|----------|
| REFERRALS OUTSTANDING AS AT DECEMBER 31ST | 0 |
|---|----------|

Capital Borrowing Of Local Authorities

The 2012 Municipal borrowing activity decreased by 20% in terms of the number of applications received but increased 60% in the dollar amount borrowed. Borrowing purposes for the two years are summarized as follows:

| NEW APPLICATIONS | 2011 | 2012 |
|---|---------------------|---------------------|
| New Applications | 67 | 53* |
| Borrowing Authorized | | |
| Water and Sewer | \$11,124,138 | \$24,099,785 |
| Streets, Sidewalks, Lighting | 4,029,440 | 2,941,845 |
| Municipal Buildings, Libraries, Community Centres, Arenas | 3,725,000 | 8,465,000 |
| Machinery and Equipment | 3,221,658 | 1,132,260 |
| Natural Gas | 0 | 0 |
| Land Purchases and Development | 580,000 | 1,755,000 |
| Other/Multiple Projects | 500,000 | 0 |
| TOTAL | \$23,180,236 | \$38,393,890 |

Details of the amounts of borrowing authorized for each individual municipality are shown on pages 27 to 28 (City of Winnipeg borrowing, which is not subject to Municipal Board approval, is not included in the above figures).

The amounts of debentures issued and marketed in 2012 as compared to 2011 are summarized as follows:

| PURCHASER | 2011 | 2012 |
|-------------------------|---------------------|---------------------|
| Credit Unions | \$5,191,282 | \$6,860,152 |
| Banks | 28,188,069 | 14,177,110 |
| General Public | 0 | 0 |
| Fiscal Agent | 14,282,159 | 9,383,080 |
| Municipal Reserve Funds | 805,967 | 338,340 |
| Minister of Finance | 19,045,137 | 10,093,957 |
| TOTAL | \$67,512,614 | \$40,852,639 |

* One new application was withdrawn.

The interest rates payable by municipalities on debentures issued in 2012 have decreased slightly with 2011 rates. A comparison of average interest rates, weighted according to each class of purchaser is summarized as follows:

| PURCHASER | 2011 | 2012 |
|-------------------------|-------------|-------------|
| Credit Unions | 4.68% | 3.27% |
| Banks | 4.47% | 3.78% |
| General Public | N/A | N/A |
| Fiscal Agent | 4.30% | 3.80% |
| Municipal Reserve Funds | 3.58% | 4.03% |
| Minister of Finance | 4.35% | 4.00% |

The Municipal Board issued a total of 163 Board Orders with respect to borrowing By-laws. These Board Orders authorized, but were not limited to, the following:

- a) authorization of certain projects and the borrowing of monies;
- b) the issuance of debentures;
- c) the reduction or increase of the authorized borrowing;
- d) expansion of the project; and
- e) the cancellation of authorized but unissued borrowing.

Municipal Borrowing By-Laws Authorized In 2012

| Local Authority | Board Order No. | Rate | Term Years | Water & Sewer | Municipal Building, etc. | Land Purchase & Development | Roads/Paving | Machinery & Equipment | Other Projects | Multiple Projects |
|------------------------|-----------------|-------|------------|---------------|--------------------------|-----------------------------|--------------|-----------------------|----------------|-------------------|
| Beausejour, Town | E-12-060 | 8.00 | 20 | - | - | - | 845,029.64 | - | - | - |
| Blanshard, RM | E-12-097 | 8.00 | 5 | - | - | 270,000 | - | - | - | - |
| Brandon, City | E-12-140 | 5.125 | 5 | - | - | 385,000 | - | - | - | - |
| Brenda, RM | E-12-002 | 4.10 | 10 | 329,000 | - | - | - | - | - | - |
| Brokenhead, RM | E-12-148 | 5.00 | 10 | - | - | - | 218,000 | - | - | - |
| Deloraine, Town | E-12-055 | 6.50 | 20 | 1,650,000 | - | - | - | - | - | - |
| DeSalaberry, RM | E-12-127 | 5.00 | 10 | 640,000 | - | - | - | - | - | - |
| Dufferin, RM | E-12-093 | 6.50 | 10 | 110,250 | - | - | - | - | - | - |
| Dufferin, RM | E-12-141 | 6.50 | 10 | 51,000 | - | - | - | - | - | - |
| Erickson, Town | E-12-116 | 6.00 | 10 | 285,000 | - | - | - | - | - | - |
| Glenboro, Village | E-12-098 | 6.50 | 10 | 250,000 | - | - | - | - | - | - |
| Hanover, RM | E-12-123 | 3.55 | 10 | 842,400 | - | - | - | - | - | - |
| La Broquerie, RM | E-12-004 | 2.00 | 3 | - | - | - | - | 187,000 | - | - |
| Lansdowne, RM | E-12-111 | 6.00 | 5 | - | - | - | - | 131,610 | - | - |
| Macdonald, RM | E-12-094 | 8.00 | 15 | 608,400 | - | - | - | - | - | - |
| Macdonald, RM | E-12-096 | 8.00 | 15 | 586,925 | - | - | - | - | - | - |
| Macdonald, RM | E-12-099 | 8.00 | 15 | 522,375 | - | - | - | - | - | - |
| Morden, Town | E-12-081 | 4.25 | 10 | 1,250,000 | - | - | - | - | - | - |
| Morris, RM | E-12-110 | 5.375 | 10 | 89,721.15 | - | - | - | - | - | - |
| Morton, RM | E-12-122 | 4.625 | 10 | 95,000 | - | - | - | - | - | - |
| Niverville, Town | E-12-124 | 5.00 | 15 | 1,000,000 | - | - | - | - | - | - |
| Notre Dame, Village | E-12-160 | 4.13 | 5 | - | - | - | 40,000 | - | - | - |
| Pipestone, RM | E-12-048 | 7.00 | 15 | 7,196,000 | - | - | - | - | - | - |
| Pipestone, RM | E-12-118 | 5.00 | 15 | - | - | - | 58,290 | - | - | - |
| Portage la Prairie, RM | E-12-132 | 7.00 | 10 | 306,700 | - | - | - | - | - | - |
| Roland, RM | E-12-107 | 6.5 | 10 | 8,000 | - | - | - | - | - | - |
| Silver Creek, RM | E-12-125 | 5.00 | 7 | - | 150,000 | - | - | - | - | - |
| Springfield, RM | E-12-086 | 5.50 | 20 | - | 2,150,000 | - | - | - | - | - |
| Springfield, RM | E-12-102 | 5.50 | 20 | 1,000,000 | - | - | - | - | - | - |

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| Local Authority | Board Order No. | Rate | Term Years | Water & Sewer | Municipal Building, etc. | Land Purchase & Development | Roads/Paving | Machinery & Equipment | Other Projects | Multiple Projects |
|------------------|-----------------|-------|------------|------------------------|--------------------------|-----------------------------|-----------------------|-----------------------|----------------|-------------------|
| St Andrews, RM | E-12-143 | 2.75 | 2 | - | 2,500,000 | - | - | - | - | - |
| St. Clements, RM | E-12-065 | 5.00 | 20 | 3,500,000 | - | - | - | - | - | - |
| Stanley, RM | E-12-012 | 4.25 | 10 | 318,500 | - | - | - | - | - | - |
| Ste Anne, RM | E-12-089 | 8.00 | 5 | - | 1,000,000 | - | - | - | - | - |
| Ste Anne, Town | E-12-073 | 6.00 | 15 | - | - | - | 17,710 | - | - | - |
| Ste Anne, Town | E-12-082 | 6.00 | 15 | - | - | - | 63,940 | - | - | - |
| Ste Anne, Town | E-12-131 | 6.00 | 15 | - | - | - | 163,875 | - | - | - |
| Steinbach, City | E-12-156 | 7.00 | 5 | - | - | - | - | 550,000 | - | - |
| Steinbach, City | E-12-157 | 7.00 | 5 | 500,000 | - | - | - | - | - | - |
| Steinbach, City | E-12-158 | 7.00 | 5 | - | - | - | 850,000 | - | - | - |
| Steinbach, City | E-12-159 | 7.00 | 5 | 400,000 | - | - | - | - | - | - |
| Swan River, Town | E-12-120 | 6.50 | 10 | - | 165,000 | - | - | - | - | - |
| Swan River, Town | E-12-150 | 5.50 | 20 | 900,000 | - | - | - | - | - | - |
| Swan River, Town | E-12-151 | 5.50 | 20 | 650,000 | - | - | - | - | - | - |
| Tache, RM | E-12-083 | 0.00 | 15 | - | - | 450,000 | - | - | - | - |
| The Pas, Town | E-12-104 | 5.375 | 15 | - | 2,500,000 | - | - | - | - | - |
| Thompson, City | E-12-128 | 7.00 | 10 | - | - | - | 385,000 | - | - | - |
| Thompson, RM | E-12-146 | 4.99 | 5 | - | - | - | - | 263,650 | - | - |
| Virden, Town | E-12-108 | 4.5 | 5 | - | - | - | 300,000 | - | - | - |
| Wallace, RM | E-12-009 | 5.75 | 20 | 331,850 | - | - | - | - | - | - |
| Wallace, RM | E-12-144 | 0.00 | 4 | - | - | 650,000 | - | - | - | - |
| Waskada, Village | E-12-049 | 4.10 | 10 | 32,664 | - | - | - | - | - | - |
| Whitehead, RM | E-12-045 | 6.00 | 20 | 646,000 | - | - | - | - | - | - |
| | | | | | | | | | | |
| Total | | | | \$24,099,785.15 | \$8,465,000 | \$1,755,000 | \$2,941,844.64 | \$1,132,260 | \$0 | \$0 |

**Revenue for the 12 Month Period Ending
December 31, 2012
(Unaudited)**

| REVENUE | 2011 | 2012 |
|--|---------------------|---------------------|
| The Municipal Act | \$ 43,560.00 | \$ 43,841.00 |
| The Municipal Assessment Act | 43,874.00 | 140,183.30 |
| The Planning Act | 1300.00 | 1,650.00 |
| Miscellaneous Acts | 300.00 | 750.00 |
| Distribution of Board Orders, Xerox Recoveries, etc. | 2500.06 | 3,548.18 |
| GST | 63.37 | 177.96 |
| Total Revenue | \$ 91,597.43 | \$190,150.44 |
| *Less Refunds | (32,893.00) | (36,557.00) |
| Net Revenue | \$ 58,704.43 | \$153,593.44 |

- * This revenue is subject to Section 57(4) of *The Municipal Assessment Act* which requires the refund of fees to successful Appellants.